

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6753

BILL NUMBER: SB 280

NOTE PREPARED: Jan 7, 2008

BILL AMENDED:

SUBJECT: Marion County Government.

FIRST AUTHOR: Sen. Merritt

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ___**GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Pending

Summary of Legislation: This bill has the following provisions:

Township Assessor Abolition: It abolishes, effective January 1, 2011, the office of township assessor in Marion County, and transfers the duties and responsibilities of the township assessor to an appointed county assessor.

Township Trustees and Board: It allows the city-county legislative body to adopt an ordinance, approved by the mayor, that abolishes the offices of township trustee and township board effective January 1, 2011, and transfers all other township duties and responsibilities, including township assistance, cemetery maintenance, weed control, and parks and recreation, to the county.

Law Enforcement: It provides that on July 1, 2008:

- (1) the mayor of the consolidated city is responsible for the consolidated law enforcement agency; and
- (2) the county sheriff's department, under the direction and control of the sheriff, is responsible only for county jail operations and facilities, emergency communications, security for city and county buildings and property, service of civil process and collection of taxes under tax warrants, and sex and violent offender registration.

Fire Services: It provides that on January 1, 2009, the fire departments of all the following are consolidated into the fire department of the consolidated city:

- (1) The townships in the county containing the consolidated city.
- (2) A fire protection territory in the county containing the consolidated city.

(3) The fire department of an airport authority.

It also provides that a transfer of duties between units of government results in the transfer of property, equipment, records, rights, contracts (including labor contracts), and indebtedness. The bill provides that a firefighter who is a member of the 1937 or 1977 fund remains a member of the same fund after the consolidation. It requires the consolidated fire department to develop a strategic plan to determine resource requirements and resource deployments for the consolidated fire department.

Excluded City Fire Services: It specifies that the fire department of an excluded city shall be consolidated into the fire department of the consolidated city if the voters of the excluded city approve the consolidation in a local public question.

Emergency Responder: The bill also requires the mayor of the consolidated city to establish a professional standards board with responsibility after December 31, 2008, for establishing, validating, and maintaining emergency responder certification and credentialing requirements and procedures. It provides that the requirements and procedures must be in accordance with the National Incident Management System and appropriate national professional standards and certification organizations and boards. It specifies that a subcommittee of the professional standards board, under the direction of a board-certified emergency physician, is responsible for certification and credentialing of emergency medical responders.

Property Tax: It exempts from the property tax levy limits any amounts imposed by the consolidated city or the county to fund former township indebtedness. It establishes a maximum property tax levy for the consolidated city for property taxes payable in 2009, 2010, and 2011 that is the sum of the city's 2009 maximum levy plus the combined amounts levied in 2008 by the townships for firefighting.

It establishes maximum property tax levies for the county and the townships for property taxes payable in 2011 that reflect:

- (1) the transfer of assessor and small claims court responsibilities to the county; or
- (2) if an ordinance is adopted to abolish township government, the transfer of all remaining township responsibilities to the county.

Cumulative Building and equipment Fund for Fire Protection: It specifies that the balance in the cumulative building and equipment fund for fire protection and related services of each entity whose fire department is consolidated into the fire department of the consolidated city be transferred to the consolidated city's cumulative building and equipment fund for fire protection and related services.

Distributive Shares of County Option Income Tax: It provides that after 2010, the monthly distributive shares of county option income taxes that would be distributed to a township for which township government is abolished shall instead be distributed as additional distributive shares to Indianapolis/Marion County.

Small Claims Court: It abolishes the Marion County Township Small Claims Courts, and adds four judges to the Marion Superior Court effective January 1, 2011.

Judges: The bill requires the Governor to appoint the four judges, not more than two of whom may be members of the same political party, for terms beginning January 1, 2011, and ending December 31, 2014. It specifies that the initial election of the four judges takes place at the general election held on November 4, 2014.

Warrant Officers: As of January 1, 2011, the bill requires a warrant officer whose duties include acting as a process server in Marion County to successfully complete at least the pre-basic training course for law enforcement officers established by the law enforcement training board before the individual performs any duties for the circuit court or the superior court. It provides that warrant officers are compensated solely through the payment of a salary in an amount determined by the auditor of the county and approved by the city-county council.

Abolished Entities: It provides that beginning in 2008, the city-county council of Marion County may adopt an ordinance, approved by the mayor, to:

- (1) abolish one or more included towns, the Indianapolis-Marion County Public Library, or the Ben Davis Conservancy District; and
- (2) transfer the duties and powers of an abolished entity to the consolidated city.

Repeals: It repeals current provisions concerning the Marion County Township Small Claims Courts.

Effective Date: January 1, 2008 (retroactive); July 1, 2008; January 1, 2009; January 1, 2011.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Karen Firestone, 317-234-2106; Bob Sigalow, 317-232-9859; Jim Sperlik, 317-232-9866;